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ATTORNEY FOR APPLICANT

DATE January 18, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

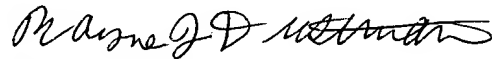
The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular document is or discloses effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited document is enclosed.

These documents are copies of litigation pleadings for Civil Action No.: 1:00CV01179, pending in the United States District Court for the Middle District of North Carolina and, in part, relate to United States Patent No. 6,063,927 (the parent of the subject application). Whether or not MPEP § 2001.06(c), which deals with the duty of disclosure and the materiality of information in related litigation, applies to the present application and pending claims, in an abundance of caution, Applicants wish to provide the Office with these documents which disclose various allegations and defenses regarding the patents involved.

In citing these documents, Applicants wish to direct attention to paragraph 5, section (b), of the Joint Stipulated Protective Order (reference CI), which states that confidential information, i.e. that covered by the protective order, may only be disclosed to in-house counsel "who are not involved in the prosecution of patents/applications relating to paroxetine." The undersigned attorney, being involved in the prosecution of applications relating to paroxetine, has not been provided with confidential information as referred to in the Protective Order, if such confidential information exist. Therefore, the documents cited herewith do not contain any such confidential information, if such confidential information exist.

Please charge any fees under 37 CFR § 1.16 or §1.17 which may be required by this paper to Deposit Account No.: 19-2570.

Respectfully submitted,



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